

REMARKS

Claims 21 and 60, indicated as allowable, have been rewritten in independent form and should be allowed.

Kindly reconsider and allow claims 1-20, 22-59 and 61-78.

No claims have been indicated as withdrawn in the summary. Moreover, generic claims are allowable.

Claim 1, 13-15, 18-20, 22-24, 61-64 and 67-69 distinguish the invention from Ross.

Claim 1, for example, includes an open end of the container. End 16 of Ross's container 12 is a front wall 16, col. 4, line 41. The end of the Ross container is not open.

Opening 30 is provided in the front wall 16, but is not an open end of the container in Ross.

Claim 1 also includes a lid positioned over the open end of the container. Ross has no open end of a container and has no lid positioned on an open end of a container.

Claims 13-15, 18-20 and 22-24 depend from claim 1 and should be allowed.

Additionally, Ross does not have an orifice created at the intersection of two trap doors as described in claim 19. Ross has narrow sheet restricting channels 70, 72, 74, 76 formed between center margins 68 of flaps 50, 52, col. 5, lines 17-21.

Ross does not have lobes on each trap door as set forth in claim 20.

Ross does not have the lobes which pinch the towelette of claim 24.

Ross does not show a container having an open end as pointed out in claim 61. Ross does not have a dispensing lid attached to the open end of the container as in claim 61.

Ross does not have a dispensing portion, which is hingedly attached to the lid and may be pushed into the container and an orifice on that dispensing portion which is defined by one or

more lobes which protrude from the dispensing portion, all as set forth in claim 61. The dispensing portions as defined in claim 61 are the trap doors.

Ross does not have the specific structure of claim 62, which depends from claim 61. Ross does not have two mirror imaged dispensing portions and the orifice defined at their intersection by lobes and recesses on each of the hinged dispensing portions.

Ross does not have the method steps of claim 63, including the pushing down on a dispensing portion (trap door) hinged to a dispensing lid attached to an open end of the container and pulling a towelette through an orifice in the hinged dispensing portion, wherein the orifice is defined by one or more lobes protruding from the hinged dispensing portion, and by one or more recesses through the hinged dispensing portion and engaging the towelette by the lobes and recesses in the hinged dispensing portion, all as set forth in claim 63.

Ross does not have an open end of a container as in claim 64 or a dispenser connected to an open end of a container as in that claim. Ross does not have a dispenser being movable and having an opening with restrictions in the movable dispenser for holding a leading end of a towelette with the restrictions in the movable dispenser, all as specifically pointed out in claim 64.

Ross does not have the opening formed as partial complementary openings formed in the adjacent edges of the opposing flaps, as in claim 65.

Claims 67-69 depend from claim 64 and distinguish the invention from Ross in the same manner as claim 64.

Claim 69 adds inner edges of the hinged flaps with parts of the openings distributed among the inner edges, not found in Ross.

Claims 70-78 were withdrawn from consideration by the examiner but should be considered and allowed.

Claim 70 is directed to the same species as the examined claims – open end container, cap, dispenser-flap hinged to the cap, cover hinged to the cap for closing over the hinged flap and sealing the container. Ross does not have an open end container flap and cover for sealing the container open end, for example.

Claims 71-78 depend from allowable generic claim 70 and should be considered.

Claim 71 adds the opening in the flap and a slit leading to the opening, which is not found in the reference.

Claim 72 adds to claims 70 and 71 the central open area and lobes and enlarged area connected to the slit.

Claim 74 adds the living hinges.

Claims 77 and 78 describe the removable cap in relation to the open end of the container.

Claims 1, 55, 56, 58 and 59 distinguish the invention from Kanfer.

Kanfer does not have a cover on the open end of the container as pointed out the claim 1.

Kanfer does not have the orifice and lobes of varied configurations as in claim 55 or rounded recesses of claim 56 or curved slots of claim 59.

Claims 64 and 65 distinguish the invention from Reinke.

Claim 64 describes an opening with restrictions not found in Reinke. Reinke's opening is circular and without restrictions.

Claim 65 adds to claim 64 that the opening with restrictions is formed with complimentary openings.

Ross and Geib would not have made obvious the invention described in Claims 33, 34 and 66.

Geib was filed November 22, 2004, four months before the filing of the provisional application on which the present application is based.

The present invention was completed before the Geib filing date.

There is nothing inherent in Geib and Ross which would have suggested their combination.

Nothing in either reference would have suggested a living hinge connecting the lid to the container as in Claim 33.

Kanfer would not have made obvious Claim 57.

Applicant traverses the examiner's holding of obviousness without citing art. Applicant traverses the examiner's holding of "aesthetic choice."

The particular triangular recesses of Claim 57 have important function of narrowing the outward portions of the lobes and increasing their ability to flex.

Kindly reconsider and remove the withdrawal from consideration of Claims 2-12, 16, 17, 25-32, 35-54 and 70-78. Generic claims are allowable.

Claims 2-12, 16, 17, 25-32 and 35-54 depend from allowable Claim 64, which is generic.

Newly added claims 79-86 patentably distinguish the invention from the references in the same manner as claim 1, which new independent claims 79 and 83 track.

Claim 79 points out the open end of the container, the cap connected over the open end of the container, the inward extending dispenser, the orifice and the lobes protruding into the towelette, none of which is found in the reference.

Claim 80 adds the slot from the free edge to the orifice in the dispenser, not found in the reference.

Claim 81 adds the guiding shape of the free edge, not found in the reference.

Claim 82 adds that the dispenser is a dispenser shelf and a large opening in the cap adjacent the shelf for accessing the centermost towelette, not found in the reference.

Claim 79 points out the open end of the container, the cap connected over the open end of the container, the inward extending dispenser, the orifice protruding into the towelette, none of which is found in the reference.

Claim 84 adds the slot from the free edge to the orifice in the dispenser, not found in the reference.

Claim 85 adds the guiding shape of the free edge, not found in the reference.

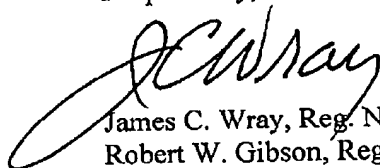
Claim 82 adds that the dispenser is a dispenser shelf and a large opening in the cap adjacent the shelf for accessing the centermost towelette, not found in the reference.

Claim 86 points out the open end of the container, the cap connected over the open end of the container, the inward extending dispenser, the orifice protruding into the towelette, none of which is found in the reference.

CONCLUSION

Reconsideration and allowance are respectfully requested.

Respectfully,

A handwritten signature in black ink, appearing to read "JC Wray", with a large, stylized flourish extending from the end of the signature.

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